

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

SOUTHEAST ACCESS, LLC,

Plaintiff,

v.

CIVIL ACTION FILE
NO. 4:09-CV-0183-HLM

SCAFFOLD INDUSTRY INSURANCE
COMPANY RISK RETENTION GROUP,
INC., d./b/a SCAFFOLD INDUSTRY
INSURANCE COMPANY (RRG), INC.,

Defendant.

ORDER

This case is before the Court on Plaintiff's Motion for Leave of Court to File Plaintiff's Notice of Objection and Motion to Strike [49].

On August 18, 2010, Plaintiff filed a Motion for Leave of Court to File Plaintiff's Notice of Objection and Motion to Strike ("Motion for Leave"). (Docket Entry No. 49.) On that same day, Plaintiff filed its Notice of Objection and Motion to Strike, before the Court had

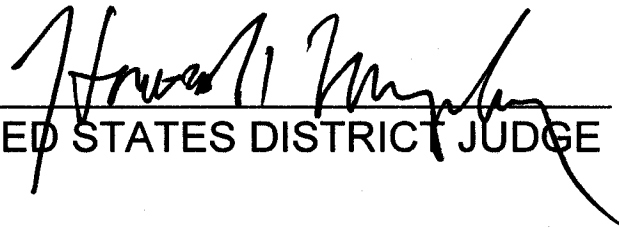
an opportunity to address the Motion for Leave. (Docket Entry No. 50.)

The Court will permit Plaintiff to file its Notice of Objection and Motion to Strike. Defendant may raise its objections to that filing, if any, in its response to the Notice of Objection and Motion to Strike.

The Court observes, however, that the proper procedure for a party seeking leave to file a motion or document is to request and obtain the Court's permission before filing that motion or document, and to attach the proposed motion or document as an exhibit to the request for leave to file. Once the Court grants permission to file a motion or document, the party then can file the proposed motion or document with the Clerk. Filing the motion or document while the request for leave to file is still pending, and before the Court has granted permission to file the motion or document, defeats the purposes of a request for leave to file. The Court **DIRECTS**

counsel to follow that procedure for all future requests for leave to file motions or documents in this Court.

IT IS SO ORDERED, this the 19th day of August, 2010.


UNITED STATES DISTRICT JUDGE